

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EUGENE DiMATTEO,

-----X Case No. 13 CV 8451-PAC

Plaintiff,

- against -

SWEENEY, GALLO, REICH & BOLZ, LLP,
DAVID GALLO,

NOTICE OF MOTION

Defendants.

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PLEASE TAKE NOTICE that upon the accompanying memorandum of law and the Declaration of David A. Gallo sworn to the 14th day of February, 2014, including all exhibits appended thereto, defendants Sweeney, Gallo, Reich & Bolz, LLP and David Gallo will make a motion, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, before Judge Paul A. Crotty, District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, for an order dismissing the first and second causes of action of the Complaint filed herein; and such other and further relief as may be just and proper.

Dated: February 14, 2014

Respectfully submitted,

SWEENEY, GALLO, REICH & BOLZ, LLP

By: 

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TO:

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